

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2009 MAR 18 PM 3:54

UNITED STATES OF AMERICA)

vs.)

JEROME FRIERSON-BEY)

DOCKET NOS. CR196-00027-001 DIST. OF GA.

CR196-00062-001

CR196-00063-001

CR196-00064-001

CR196-00069-001

CR196-00072-001

CR196-00074-001

ORDER

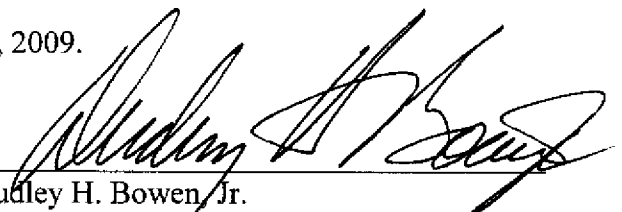
On April 7, 2008, the Defendant filed a motion for reduction of sentence, pursuant to 18 U.S.C. § 3582(c)(2), as a result of the reduction to the guidelines applicable to crack cocaine. On November 26, 1996, the Court sentenced the Defendant to two hundred twenty-eight (228) months custody of the Bureau of Prisons. This term consisted of terms of one hundred sixty-eight (168) months on each of Counts: 1 of CR196-00027; 1 of CR196-00062; 1 of CR196-00063; 1, 2, and 3 of CR196-00064; 1 of CR196-00069; 1 of CR196-00072; and 1, 2, and 3 of CR196-00074, all to be served concurrently. An additional term of sixty (60) months custody was imposed on Count 2 of CR196-00069, to be served consecutively to the counts previously stated to produce a total term of two hundred twenty-eight months. The Defendant was also ordered to: serve five (5) years supervised release; pay \$45,483.97 restitution; and pay an \$800 special assessment.

On January 7, 1998, the Court reduced the Defendant's sentences on each of Counts: 1 of CR196-00027; 1 of CR196-00062; 1 of CR196-00063; 1, 2, and 3 of CR196-00064; 1 of CR196-00069; 1 of CR196-00072; and 1, 2, and 3 of CR196-00074, to one hundred fifty months (150) months custody, to be served concurrently with each other but consecutively to the sixty (60) months custody term imposed on Count 2 of CR196-00069, pursuant to Federal Rules of Criminal Procedure 35(b), resulting in a total term of two hundred ten (210) months custody. All other terms remained in effect as originally imposed on November 26, 1996.

Upon receiving the Defendant's motion, the Court reviewed the facts and determined that the case did not involve a conviction for an offense related to crack cocaine. The Court also considered all factors of 18 U.S.C. § 3553(a), specifically deterrence, punishment, and the need to protect the community, when determining that the appropriate sentence had originally been imposed in the Defendant's case.

After reviewing the motion and upon advice from the United States Probation Office, the Defendant's motion for a reduction of the sentence of imprisonment imposed in his case pursuant to 18 U.S.C. § 3582(c)(2) is hereby DENIED.

SO ORDERED this 18th day of March, 2009.



Dudley H. Bowen, Jr.
United States District Judge